

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-45859-2024 (O&M)
Date of Decision:-22.10.2024

Saba Singh @ Baljit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

Ms. Pooja, Advocate for
Mr. Ritesh Pandey, Advocate for the complainant.

FIR No.	Dated	Police Station	Section/s
189	29.6.2023	Civil Lines Batala, Police District Batala, District Gurdaspur	323, 324, 341, 148, 149 of Indian Penal Code, wherein offences under Sections 307 & 326 IPC were added later on

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
2. The FIR was lodged at the instance of Daljit Singh wherein it is alleged that on 23.06.2023 his son Kanwaljeet Singh who had gone to the fields was surrounded by Gurmeet Singh armed with a ‘*datar*’, Sabha armed with a ‘baseball slugger’, Beeti armed with a ‘sword’, Mangi armed with a ‘stick’ and Manjit Kaur empty handed along with 4 unknown persons. It is alleged that Manjit Kaur raised a ‘*lalkara*’ exhorting her companions to teach



complainant's son Kanwaljeet Singh a lesson and upon which Gurmeet Singh gave two blows with '*datar*' on the head of Kanwaljeet Singh. Beeti is stated to have inflicted a blow hitting on left hand of Kanwaljeet Singh; Sabha is stated to have given a blow with baseball slugger on left leg of Kanwaljeet Singh and Mangi is alleged to have given a blow with '*stick*' on the right ankle of Kanwaljeet Singh. It is further alleged that other unknown persons also gave beatings to the complainant's son and thereafter Manjit Kaur is stated to have dragged him from his hair.

3. Learned counsel for the petitioner submitted that the petitioner is not attributed any grievous injury or any injury on vital part and is attributed a simple injury with a blunt edged weapon i.e. baseball bat on the left leg. It has further been submitted that the petitioner has been behind bars since the last about 5 months and otherwise has a clean record.
4. Opposing the petition, learned State counsel submitted that since the petitioner is specifically named in the FIR and is attributed a specific injury, his complicity is clearly evident. However, it has not been denied that the petitioner has been behind bars for a substantial period of more than 5 months and that he is not involved in any other case. It has also been informed that challan already stands presented and that charges are yet to be framed.
5. This Court has considered the rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but having regard to the substantial custody of the petitioner i.e. more than 5 months, who otherwise has a clean record, the instant petition is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds



CRM-M-45859-2024 (O&M) (3)

to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

22.10.2024

Geeta/P

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No